REMARKS

At the outset, the Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Office Action dated August 23, 2006 has been received and its contents carefully reviewed.

Claims 8-14 are hereby added. Accordingly, claims 1-14 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

Initially, the Applicant wishes to thank the Examiner for indicating that claim 3 includes allowable subject matter.

The Office Action rejected claims 1, 2 and 4-7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,247,339 to *Kenjo et al.* (hereinafter "*Kenjo*") in view of U.S. Patent Application No. 2001/0027579 to *Kwon* (hereinafter "*Kwon*"). The Applicant respectfully traverses the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to "establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art." The Applicant submits that neither *Kenjo* nor *Kwon* either singularly or in combination, teach or suggest each and every element recited in claims 1, 2 and 4-7. In particular, claim 1 recites a method for controlling a washing machine having a variable speed tub and a variable speed pulsator, including "rotating the pulsator at a first predetermined speed during said water supplying step." Neither of the references either singularly or in combination, disclose this feature.

The Office Action alleges that "Kenjo's invention provides a motivation for operating the pulsator in combination with the washing basket to achieve desired cleaning, by selection of the appropriate cleaning combination." See page 3 of the Office Action. However, this is not what claim 1 recites. Further, the Office Action completely ignores the limitations of "setting a water level in the tub" and "supplying water to the tub according to said water level setting step," as required by the claim.

What *Kenjo* actually discloses is opening the water valve to supply water to the water tub. When the water reaches an appropriate level the water valve is closed and then the motor drives the basket. See column 4, lines 40-48 and column 7, lines 50-57. While *Kenjo* may disclose control steps that include spinning the basket and the pulsator, all of these steps are performed after the water has already been supplied to the water tub not during the water supplying step, as required by the claim. Thus, *Kenjo* fails to teach or even suggest "rotating the pulsator at a first predetermined speed during said water supplying step."

Kwon is introduced to teach "a method of rinsing laundries in a washing machine wherein a predetermined amount of water is primarily fed to the washing tub 20 while constantly rotating the inner tub 23 at an initial speed S1 of no higher than a predetermined rpm, with the amount of water being predetermined." However, *Kwon* fails to overcome the deficiencies of *Kenjo*. Specifically, *Kwon* fails to teach or suggest "setting a water level in the tub," "supplying water to the tub according to the water level setting step" and "rotating the pulsator at a first predetermined speed during said water supplying step." Rather, *Kwon* teaches a method of rinsing laundry, wherein water that is already in the tub is re-circulated from the tub, through the water circulation hose back into the upper portion of the tub. See paragraph 0028. Since during the rising process, the water is already present in the tub, *Kwon* cannot possibly teach "supplying water to the tub according to the water level setting step." Further, *Kwon* teaches that only the tub is driven during the rinsing process. The pulsator of *Kwon* is only rotated during the laundering process, again after the water is already present in the tub, not during the rinsing process. See paragraph 0024, lines 8-12. So even if the rinsing step of *Kwon* could be construed as a water supplying step, *Kwon* fails to teach or suggest "rotating the pulsator at a first predetermined speed during said water supplying step," as required by the claim.

Because neither of the references, singularly or in combination teach all the claimed elements, the teaching of *Kenjo* in view of *Kwon* does not render the invention obvious. Thus, for at least the aforementioned reasons, the Applicant respectfully submits that claim 1 is patentably distinguishable over *Kenjo* in view of *Kwon* and request that the rejection be withdrawn. Likewise, claims 2 and 4-7, which depend from claim 1 are also patentable for at least the same reasons.

Newly added claims 8-14 includes the indicated allowable subject matter, thus they are considered to be allowable.

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

By _____

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Attachments